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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 UNITED STATES OF AMERICA,  
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11 Plaintiff,  
12 v.  
13 NOLAN PAUL CYRE,  
14 Defendant.

Case No. 2:19-CR-008-RSL

ORDER GRANTING  
UNOPPOSED MOTION TO  
CONTINUE TRIAL AND  
PRETRIAL MOTIONS  
DEADLINE

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16 This matter comes before the Court on defendant Nolan Paul Cyre's "Unopposed Motion  
17 to Continue Trial and Pretrial Motions Deadline." Dkt. #23. Having considered the facts set  
18 forth in the motion, and defendant's knowing and voluntary waiver, the Court finds as follows:

19 1. The Court adopts the facts set forth in the unopposed motion; specifically, that  
20 defense counsel needs additional time to review discovery, evaluate the application of  
21 mandatory minimum penalties to defendant's charge, interview witnesses, complete forensic  
22 testing, and conduct legal research. The Court accordingly finds that a failure to grant a  
23 continuance would deny counsel, and any potential future counsel, the reasonable time  
24 necessary for effective preparation, taking into account the exercise of due diligence, within the  
25 meaning of 18 U.S.C. § 3161(h)(7)(B)(iv).  
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27 2. The Court finds that a failure to grant a continuance would likely result in a  
28 miscarriage of justice, as set forth in 18 U.S.C. § 3161(h)(7)(B)(i).

ORDER GRANTING UNOPPOSED MOTION TO CONTINUE  
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3. The Court finds that the additional time requested between March 25, 2019, and the proposed trial date of June 24, 2019 is a reasonable period of delay, as defense counsel needs additional time to review discovery, evaluate the application of mandatory minimum penalties to defendant's charge, interview witnesses, complete forensic testing, and conduct legal research. The Court finds that this additional time is necessary to provide defense counsel reasonable time to prepare for trial, considering all the facts set forth above.

4. The Court further finds that this continuance would serve the ends of justice, and that these factors outweigh the best interests of the public and defendant in a speedier trial, within the meaning of 18 U.S.C. § 3161(H)(7)(A).

5. Defendant has signed a waiver indicating that he has been advised of his right to a speedy trial and that, after consulting with counsel, he has knowingly and voluntarily waived that right and consented to the continuation of his trial to a date up to and including July 15, 2019, Dkt. #24, which will permit trial to start on June 24, 2019, per defense counsel's request.

IT IS HEREBY ORDERED that the trial date be continued from March 25, 2019 to June 24, 2019.

IT IS FURTHER ORDERED that the pretrial motions cutoff date be continued to May 27, 2019.

IT IS FURTHER ORDERED that the period of time from the current trial date of March 25, 2019, up to and including July 15, 2019, shall be excludable time pursuant to the 18 U.S.C. § 3161, *et seq.* The period of delay attributable to this filing and granting of this motion is excluded for speedy trial purposes pursuant to 18 U.S.C. §§ 3161(h)(1)(D), (h)(7)(A), and (h)(7)(B).

DATED this 25<sup>th</sup> day of February, 2019.

Robert S. Lasnik  
Robert S. Lasnik  
United States District Judge